

REMARKS

1. Preliminary Remarks

a. Status of the Claims

Claims 66-103 are pending in this application. Claim 66 is amended. Applicant respectfully requests that the amendments and remarks made herein be entered into the file history of the application. Upon entry of the amendments, claims 66-103 will be pending and under active consideration.

b. Claim Amendments

Support for amended claim 66 is found in the original specification at page 12, lines 9-29.

2. Election/Restriction

On pages 2 and 3 of the Office Action, the Examiner requires restriction of the claims under 35 U.S.C. §§ 121 and 372 to one of the following groups.

- I. Group I, claims 66 and 68-103, drawn to a method of controlling a condition of a suspension.
- II. Group II, claims 67-103, drawn to a method of controlling consolidation of a bed.

Specifically, the Examiner asserts that the two invention groups do not relate to a single general inventive concept under PCT Rule 13.1 because the stimulus that is the special technical feature shared by the invention groups allegedly lacks novelty and an inventive step over U.S. Patent No. 4,536,294 (“Guillet”). **With traverse, Applicant elects Group II, which is encompassed by claims 67-103.**

Applicant submits that in view of amended claim 66, this claim now shares a novel and inventive special technical feature with claim 67 such that claims 66 and 67 have unity of invention. Specifically, amended claim 66 includes a limitation that the stimulus is applied for a predetermined time, thereby liberating at least some liquid that would otherwise be trapped among the solid particles of the suspension. Claim 67 likewise includes a limitation that the stimulus is applied for a predetermined time, with the result that at least some trapped liquid is liberated from the bed.

In stark contrast, Guillet discloses no such limitation. Rather, Guillet’s flocculant is intended to itself be precipitated out of any recycled process water prior to conducting a separation process.¹

¹ Guillet at column 4, line 37.

This has nothing to do with the predetermined timing for the applied stimuli in the instant claims, which liberates liquid trapped among solid particles. Accordingly, one of ordinary skill in the art would not have sufficient expectation of success from the teachings of Guillet to arrive at the instantly claimed methods. Thus, the instant claims are both novel and inventive over Guillet, and therefore share a special technical feature that define a contribution over the cited art. Applicant submits that the claims thus have unity of invention, and respectfully requests that the Examiner reconsider and withdraw the restriction requirement.

3. Conclusion

Applicant respectfully submits that the instant application is in good and proper order for allowance and early notification to this effect is solicited. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the instant application, the Examiner is encouraged to call the undersigned at the number listed below.

Respectfully submitted,

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